REMARKS

Reconsideration of this Application is respectfully requested.

Upon entry of the foregoing amendment, claims 5-11, 13-17, 19, and 22-25 are pending in the application, with claims 5, 8, 10, 14 and 16 being the independent claims. Claims 5, 8, 10, 14 and 16 are amended to now even more clearly claim Applicant's claimed invention. These changes are not believed to introduce any new matter.

Based on the above Amendment and the following Remarks, Applicant respectfully requests that the Examiner reconsider all outstanding rejections and that they be withdrawn.

Objections to the Specification

In the Action on page 2, section 4, the specification is objected to as containing an embedded hyperlink in paragraph 20. Paragraph 20 is amended to remove the embedded hyperlink. Applicants respectfully request that the objection be withdrawn.

Rejections under 35 U.S.C. 101

In the Action on page 2, section 6, claims 14-17, and 19 are rejected under 35 U.S.C. 101 as being allegedly directed to non-statutory subject matter. Although Applicants generally disagree with the assertion that signals are non-statutory, Applicants have amended paragraphs 18 and 40 to remove signals from the list of examples of a machine-accessible medium. Applicants therefore respectfully request that the rejection be withdrawn.

Rejections under 35 U.S.C. 102

In the Action on pages 3-8, section 8, claims 5-11, 13-17, 19, and 22-25 are rejected as being anticipated by U.S. Patent No. 6,988,250 to Proudler et al. (hereinafter "Proudler"). Applicants respectfully traverse the rejection.

As amended, claim 5 recites, in relevant part, "**connecting a computer having no operating system installed thereon**, and having firmware and a trusted platform module (TPM) coupled to said firmware **to a network**; ... receiving a challenge from a challenger on said network,

wherein said challenger holds an enrolled platform trust state for said computer" Proudler fails to teach at least three elements of claim 5.

First, Proudler fails to teach connecting a computer having no operating system installed thereon. Instead, Proudler teaches attestation of computers that already have an operating system installed. See, e.g. Proudler, col. 4, line 33. In contrast, the present application is directed to safely provisioning "bare-metal" computers having no operating system. See, e.g. specification paragraphs 0001, 00020. Therefore, Proudler fails to teach or suggest a computer having no operating system.

Second, Proudler fails to teach **connecting a computer** having no operating system installed thereon, and having firmware and a trusted platform module (TPM) coupled to said firmware **to a network**. Instead, Proudler does not disclose any network and does not teach connecting a computer having no operating system on it to a network. While Proudler does contemplate a user of a "remote platform" wanting to verify the integrity of the trusted platform (col. 8, lines 9-10), Proudler does not discuss what it means for the user to be "remote" from the trusted platform. Proudler also does not discuss how the user's platform communicates with the trusted platform, other than to mention a smartcard on which the verification software application may be located. See Proudler, col. 8, lines 19-22. Proudler discusses that the trusted platform contains a smartcard reader (col. 4, line 15), but does not disclose whether the user's remote platform also contains a smartcard reader. Thus, it appears that Proudler fails to teach connecting a computer having no operating system installed thereon, and having firmware and a trusted platform module (TPM) coupled to said firmware to a network.

Third, Proudler fails to teach receiving a challenge from a challenger on said network, **wherein said challenger holds an enrolled platform trust state for said computer**. Instead, in Proudler, the trusted device holds the certificate from the trusted party, and provides a challenge response with the certificate to the challenging device. The challenger in Proudler does not hold an enrolled platform trust state, but only the public key from the trusted party. See Proudler, col. 9, lines 19-21. In contrast, in claim 5, the challenger holds an enrolled platform trust state, for example, from the OEM of the computer, that the challenger can use to compare with the current trust state of the challenged computer. See, e.g. specification, paragraph 00027. Therefore, Proudler

fails to teach receiving a challenge from a challenger on said network, wherein said challenger holds an enrolled platform trust state for said computer.

Therefore, because Proudler fails to teach at least three elements of claim 5, Proudler does not anticipate claim 5. Applicants respectfully request that the rejection be withdrawn.

Claims 6-7 and 22-25 depend from claim 5, and are allowable at least for being dependent from an allowable claim.

Claims 8, 14 and 16, as amended, recite elements similar to those discussed above with respect to claim 5, and are allowable for at least the reasons given above for claim 5.

Claims 9, 15, 17, and 19 depend from allowable independent claims and are allowable at least for being dependent from an allowable claim.

Claim 10, as amended, recites an apparatus that has no operating system installed thereon, and recites that the apparatus is operative to provide said calculated platform state to a challenging network. As discussed above with respect to claim 5, Proudler teaches neither an apparatus having no operating system installed on it, nor a challenging network. Therefore, claim 10 is allowable over Proudler for at least these reasons.

Claims 11 and 13 depend from claim 10, and are allowable at least for being dependent from an allowable claim.

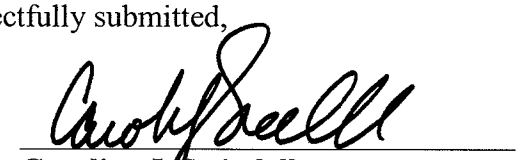
Conclusion

All of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicant therefore respectfully requests that the Examiner reconsider all presently outstanding rejections and that they be withdrawn. Applicant believes that a full and complete reply has been made to the outstanding Office Action and, as such, the present application is in condition for allowance. If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is hereby invited to telephone the undersigned at the number provided.

Prompt and favorable consideration of this Amendment is respectfully requested.

Dated: October 12, 2007

Respectfully submitted,

By: 

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